UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Teng Moua, Juan Martinez, Cheri Martinez, Kua Vang Xiong, Maiku Thao, Cherpao Yang, Bee Vang, Vang Pao Moua, Mailou Xiong Yang, Vangxue Yang, Eng Thao, Choua Moua, Meshack Balira, Ferdinand Nyambarya, VMS Inc., Richard Chang, Lee Wong Chang, Khonekham Dejvongsa, Nouphet Dejvongsa, Diego Cortez Dominguez, Mohamud Egal, Mohamed Osable, Hussein Osable, Ifran Jimale, Layla Jimale, Mohamed Jimale, Paul Bel George, Chue Hang, Tong Thao Hang, Rexhep Krasniqi, Tou Lor, Mai Moua Vue, Arif Metushi, Wa Her Moua, Mee Yang, John Schroeder, Judy Schroeder, Berhane Tesfai, Dual Cykao Thao, Xong Thao Yang, Kou Thao, Yang Xiong, Kevin Vilavong, Chong Xiong, Ko S. Xiong, Blia Yang, Ying Cheng, Chang Yang, Choua Lor, Mai Blia Yang, Pang Yang, Lue Her,

No. 08-CV-4942 (ADM/JSM)

STIPULATION OF DISMISSAL WITH PREJUDICE OF BERHANE TESFAI

Plaintiffs,

v.

Jani-King of Minnesota, Inc., a Texas Corporation, Jani-King International, Inc., a Texas Corporation, George Selman, a Minnesota resident, and Steve Schmidt, a Minnesota resident.

Defendants.

Plaintiffs and defendants Jani-King of Minnesota, Inc., a Texas Corporation, Jani-King International, Inc., a Texas Corporation, George Selman, a Minnesota resident, and Steve Schmidt, a Minnesota resident, by their undersigned attorneys of record, hereby stipulate under Fed. R. Civ. P. 41(a)(1)(A)(ii) that all claims of plaintiff Berhane Tesfai in this case are dismissed with prejudice and on the merits, with each side to bear its own costs and attorneys' fees.

Dated: October 22, 2010

FOLEY & MANSFIELD, P.L.L.P.

s/ Christopher C. Grecian

Thomas W. Pahl (#243012)

Michael W. Haag (#39007)

Jamie L. Habeck (#308328)

Christopher C. Grecian (#0387693)

250 Marquette Avenue, Suite 1200

Minneapolis, MN 55401

Telephone: (612) 338-8788

Attorneys for Plaintiffs

fb.us.5878326.01

Dated: October 21, 2010

FAEGRE & BENSON LLP

s/ Kerry L. Bundy

Kerry L. Bundy (#266917)

Myriam Pierre Warren (#0389804)

Eileen M. Hunter (#0336336)

Christopher J.L. Diedrich (#0389442)

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, Minnesota 55402

Telephone: (612) 766-7000

Attorneys for Defendants